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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
AUG 27 2004 INFORMATION DISCLOSURE STATEMENT

Docket No.  
08CN8803-25

1773

Re Application Of: John E. Davis, et al.

|                               |                                  |                        |                       |                        |                          |
|-------------------------------|----------------------------------|------------------------|-----------------------|------------------------|--------------------------|
| Application No.<br>09/683,114 | Filing Date<br>November 20, 2001 | Examiner<br>K. Bernatz | Customer No.<br>23413 | Group Art Unit<br>1773 | Confirmation No.<br>9349 |
|-------------------------------|----------------------------------|------------------------|-----------------------|------------------------|--------------------------|

Invention: DATA STORAGE MEDIA

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



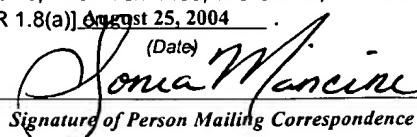
Signature

Pamela J. Curbelo  
Registration No. 34,676  
Customer No. 23413  
(860) 286-2929

Dated: August 25, 2004

Certificate of Mailing by First Class Mail

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] August 25, 2004

  
(Date)  
Sonia Mancini  
Signature of Person Mailing Correspondence

Sonia Mancini

Typed or Printed Name of Person Mailing Correspondence

cc:

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(d))**

AUG 27 2004

Docket No.  
08CN8803-25

In Re Application Of:

John E. Davis, et al.

| Application No. | Filing Date       | Examiner   | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------------|------------|--------------|----------------|------------------|
| 09/683,114      | November 20, 2001 | K. Bernatz | 23413        | 1773           | 9349             |

Title: DATA STORAGE MEDIA

Address to:  
Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

A check in the amount of \_\_\_\_\_ is attached.

Charge Deposit Account No. 07-0862 in the amount of \$180.00

Payment by credit card. Form PTO-2038 is attached.

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\_\_\_\_\_  
(Date)

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*Pamela J. Curbelo*  
Typed or Printed Name of Person Signing Certificate

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Pamela J. Curbelo  
Registration No. 34,676  
Customer No. 23413  
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(Date)

*Sonia Mancini*  
Signature of Person Mailing Correspondence

Sonia Mancini

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Typed or Printed Name of Person Mailing Certificate

Dated: August 25, 2004

CC:



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|              |                       |                        |
|--------------|-----------------------|------------------------|
| Applicant:   | John E. Davis, et al. | )                      |
|              |                       | ) Group Art Unit: 1773 |
| Serial No.:  | 09/683,114            | )                      |
|              |                       | ) Examiner: K. Bernatz |
| Filing Date: | November 20, 2001     | )                      |
|              |                       | )                      |
| For:         | DATA STORAGE MEDIA    | )                      |
|              |                       | )                      |

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

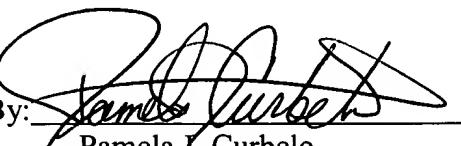
Sir:

In compliance with the duty to disclose, submitted herewith is form PTO-A820 (PTO-1449) listing publication(s) of which those designated by 37 CFR § 1.56 are aware.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability.

Respectfully submitted,

CANTOR COLBURN LLP

By:   
Pamela J. Curbelo  
Registration No. 34,676

08/30/2004 RMEBRAHT 00000016 070862 09683114  
01 FC:1806 180.00 DA

Date: August 25, 2004  
Customer No.: 23413  
Telephone: (860) 286-2929

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

AUG 27 2004

ATTY DOCKET NO.  
08CN8803-25APPLICATION NO.  
09/683,114

APPLICANT(S)

John E. Davis, et al.

FILING DATE

November 20, 2001

GROUP ART UNIT

1773

## U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE       | NAME               | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|--|-----------------|------------|--------------------|-------|----------|----------------------------|
| 1                 |  | 4,870,429       | 09/26/1989 | Fujita, et al.     | 346   | 137      | 03/02/1987                 |
| 2                 |  | 5,968,627       | 10/19/1999 | Nigam, et al.      | 428   | 65.3     | 01/15/1998                 |
| 3                 |  | 6,096,419       | 08/01/2000 | Ito, et al.        | 428   | 336      | 11/24/1998                 |
| 4                 |  | 6,146,755       | 11/14/2000 | Guha, et al.       | 428   | 332      | 10/15/1998                 |
| 5                 |  | 6,154,438       | 11/28/2000 | O'Hollaren, et al. | 369   | 275.3    | 06/19/1998                 |

## U.S. PATENT APPLICATION PUBLICATIONS

| *EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|--|-----------------|------|------|-------|----------|----------------------------|
|                   |  |                 |      |      |       |          |                            |
|                   |  |                 |      |      |       |          |                            |
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|                   |  |                 |      |      |       |          |                            |

## FOREIGN PATENT DOCUMENTS

|   |  | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|---|--|-----------------|------------|---------|-------|----------|-------------|----|
|   |  |                 |            |         |       |          | YES         | NO |
| 6 |  | DE 4326296 A1   | 02/24/1994 | Germany |       |          | ✓           |    |
| 7 |  | JP 63205817     | 08/25/1988 | Japan   |       |          | ✓           |    |
|   |  |                 |            |         |       |          |             |    |
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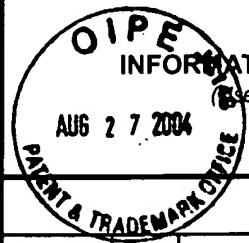
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|---|--|
|  | 8 | HTML document titled "FLEXURAL PROPERTIES", copyright 1995-2004, ( <a href="http://www.dow.com/styron/design/guide/flexural.htm">http://www.dow.com/styron/design/guide/flexural.htm</a> ), 1 pg |
|  |   |  |

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


**INFORMATION DISCLOSURE CITATION**
*(use several sheets if necessary)*

AUG 27 2004

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APPLICATION NO.  
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FILING

November 20, 2001

GROUP ART

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**U.S. PATENT DOCUMENTS**

| *EXAMINER<br>INITIAL |  | DOCUMENT NUMBER | DATE       | NAME            | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|--|-----------------|------------|-----------------|-------|----------|-------------------------------|
| 9                    |  | 6,335,843       | 01/01/2002 | Yotsuya, et al. | 360   | 60       | 05/19/1998                    |
|                      |  |                 |            |                 |       |          |                               |
|                      |  |                 |            |                 |       |          |                               |
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**FOREIGN PATENT DOCUMENTS**

|  |  | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|--|-----------------|------|---------|-------|----------|-------------|----|
|  |  |                 |      |         |       |          | YES         | NO |
|  |  |                 |      |         |       |          |             |    |
|  |  |                 |      |         |       |          |             |    |
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**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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